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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM M-60833-2023 (O&M)
Date of Decision: 14.02.2024

Harpreet KaurPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Ms. Avneet, AAG, Punjab.
assisted by ASI Jaideep.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 439 Cr.P.C seeking bail pending trial in FIR No.47 dated 02.05.2023 registered under Sections 458, 379-B & 323 read with Section 34 IPC (Sections 397, 324, 342, 326, 411 and 120-B IPC added later on) at Police Station, Phase-11, District SAS Nagar Mohali.

2. Allegations are that petitioner along with co-accused hatched a conspiracy; snatched the gold chain & earrings of the complainant; tried to take away the gold rings, but on hue and cry raised by the complainant, they decamped.

3. This Court, on 12.12.2023, granted interim bail to the petitioner in the following order:-

“Contends that co-accused (Baljit Kaur) with similar allegations has been granted the concession of interim bail pending trial Court by this Court vide order dated 17.11.2023 passed in CRM-M-55660-2023.

Learned State counsel seeks time to verify the above factual position.

Posted for 16.01.2024.

In the meantime, petitioner is ordered to be released on interim bail on her furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

To be heard along with CRM-M-55660-2023.”

4. Learned State counsel has apprised the Court that petitioner was granted interim bail by this Court on 12.12.2023 and since then, she is regularly appearing before the learned trial Court.

5. Heard learned State counsel and perused the paper book.

7. Petitioner has already been granted interim bail by this Court and she is regularly appearing before the learned trial Court. There is no allegation that she is likely to misuse the concession of bail or hamper the proceedings in any manner, in case her interim bail is made absolute. Thus sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, the present petition is allowed. Interim bail granted to the petitioner, vide order dated 12.12.2023, is made absolute. She shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order. Also clarified that non-appearance of petitioner before learned trial Court shall be construed as misuse of the concession.

12. Pending criminal misc. application(s), if any, shall also stand disposed off.

14.02.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No